

**TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 1, 2007**

House of Representatives

The House convened at 11:30 a.m., Mr. Moyle the Chair.

Roll call showed 66 members present.

Absent and excused -- Block, Roberts, Shepherd(8), Thayn.
Total -- 4.

Total -- 70.

Prayer was offered by Representative Eskridge.

The Pledge of Allegiance was led by Amanda Cayler, Page.

Approval of Journal

February 1, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-Fourth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

January 31, 2007

Mr. Speaker:

I transmit herewith S 1036, S 1015, S 1021, and S 1012 which have passed the Senate.

WOOD, Secretary

S 1036, S 1015, S 1021, and S 1012 were filed for first reading.

Report of Standing Committees

February 1, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed H 76, H 77, H 78, H 79, H 80, H 81, H 82, H 83, and H 84.

CLARK, Chairman

H 76 was referred to the Local Government Committee.

H 78 was referred to the Agricultural Affairs Committee.

H 79, H 80, H 81, H 82, H 83, and H 84 were referred to the Revenue and Taxation Committee.

H 77 was filed for second reading.

January 31, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration S 1006, S 1007, S 1008, and S 1009 and recommend that they do pass.

CLARK, Chairman

S 1006, S 1007, S 1008, and S 1009 were filed for second reading.

February 1, 2007

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration H 68, H 69, H 70, and H 74 and recommend that they do pass.

LAKE, Chairman

H 68, H 69, H 70, and H 74 were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 85
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT**

RELATING TO IRRIGATION DISTRICTS; AMENDING CHAPTER 15, TITLE 43, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 43-1510, IDAHO CODE, TO PROVIDE FOR CERTAIN TAX EXEMPTIONS.

**HOUSE BILL NO. 86
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT**

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-111, IDAHO CODE, TO REVISE PROCEDURES RELATING TO THE QUALIFICATIONS OF VOTERS.

**HOUSE BILL NO. 87
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT**

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-803, IDAHO CODE, TO PROVIDE FOR THE RECORDING OF NOTICES OF ELECTION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 43-804, IDAHO CODE, TO REVISE TIMING PROVISIONS RELATING TO THE REDEMPTION OR REPURCHASE OF WATER RIGHTS.

**HOUSE BILL NO. 88
BY BUSINESS COMMITTEE
AN ACT**

RELATING TO THE DEPARTMENT OF INSURANCE; AMENDING SECTION 41-5403, IDAHO CODE, TO INCORPORATE A NEW TREND TEST FOR RISK-BASED CAPITAL LEVELS OF PROPERTY AND CASUALTY INSURERS.

HOUSE BILL NO. 89
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO THE DEPARTMENT OF INSURANCE; AMENDING SECTION 41-1036, IDAHO CODE, TO PROVIDE LANGUAGE APPLICABLE TO RECORDS MAINTENANCE AND TO REMOVE THE EXEMPTION FROM RECORDKEEPING REQUIREMENTS FOR LIFE AND DISABILITY INSURANCE.

HOUSE BILL NO. 90
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO PROPERTY INSURANCE RATES; AMENDING SECTION 41-1427, IDAHO CODE, TO INCREASE THE MAXIMUM PERIOD FOR EXAMINATION BY THE DIRECTOR OF INSURERS AND CERTAIN ORGANIZATIONS FROM THREE YEARS TO FIVE YEARS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 91
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO THE DEPARTMENT OF INSURANCE; AMENDING SECTION 41-509, IDAHO CODE, TO DELETE AN OBSOLETE REFERENCE TO THE LIMIT OF RISK FOR NEWLY FORMED DOMESTIC MUTUAL INSURERS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 92
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO THE DEPARTMENT OF INSURANCE; AMENDING SECTION 41-249, IDAHO CODE, TO AUTHORIZE THE DEPARTMENT TO SHARE CONFIDENTIAL INFORMATION WITH FOREIGN REGULATORY OR LAW ENFORCEMENT AGENCIES.

HOUSE BILL NO. 93
BY APPROPRIATIONS COMMITTEE
 AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILD WELFARE PROGRAM FOR FISCAL YEAR 2007; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 94
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO ELECTIONS; AMENDING TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 26, TITLE 34, IDAHO CODE, TO PROVIDE FOR BOARD OF COUNTY COMMISSIONER AUTHORIZATION OF VOTE BY MAIL, TO SPECIFY ELECTIONS REQUIRED OR ELIGIBLE TO BE CONDUCTED BY MAIL, TO PROVIDE PROCEDURES FOR CONDUCTING ELECTIONS BY MAIL, TO PROVIDE PROCEDURES FOR THE ORDERING OF CANDIDATE NAMES ON THE VOTE BY MAIL BALLOT AND TO PROVIDE FOR THE APPLICABILITY OF OTHER

LAWS; AND AMENDING SECTION 50-429, IDAHO CODE, TO PROVIDE FOR CITY COUNCIL AUTHORIZATION OF VOTE BY MAIL SUBJECT TO SPECIFIED IDAHO LAW AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 95
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-308, IDAHO CODE, TO PROVIDE THAT ANY PRECINCT MAY BE DESIGNATED BY THE BOARD OF COUNTY COMMISSIONERS AS A MAIL BALLOT PRECINCT AND TO ALLOW OTHER VOTING PLACES WITHIN A PRECINCT.

H 85, H 86, H 87, H 88, H 89, H 90, H 91, H 92, H 93, H 94, and H 95 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1015 and **S 1012**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1021, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1036, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 8, by State Affairs Committee, was read the second time by title and filed for third reading.

H 71, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 42 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood(35) to open debate.

The question being, "Shall **H 42** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence,

Raybould, Ring, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 64.

NAYS -- None.

Absent and excused -- Block, Jaquet, Roberts, Shepherd(8), Thayne, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 42** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 18 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bock to open debate.

The question being, "Shall **H 18** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Raybould, Ring, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Smith(24), Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 63.

NAYS -- Pence. Total -- 1.

Absent and excused -- Block, Roberts, Shepherd(8), Snodgrass, Thayne, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 18** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 23 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nielsen to open debate.

The question being, "Shall **H 23** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Smith(24), Snodgrass,

Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Block, Henbest, Roberts, Shepherd(8), Thayne. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 23** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 24 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Saylor to open debate.

The question being, "Shall **H 24** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Block, Roberts, Shepherd(8), Thayne. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 24** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 25 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. King to open debate.

The question being, "Shall **H 25** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27),

Wood(35), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Block, Roberts, Shepherd(8), Thayn.
Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 25** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 26 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Brackett to open debate.

The question being, "Shall **H 26** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Block, Roberts, Shepherd(8), Thayn.
Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 26** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 27 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Chavez to open debate.

The question being, "Shall **H 27** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Block, Roberts, Shepherd(8), Thayn.
Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 27** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 61 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Labrador to open debate.

The question being, "Shall **H 61** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Block, Roberts, Shepherd(8), Thayn.
Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 61** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bedke moved that the House adjourn until 8 a.m., Friday, February 2, 2007. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:12 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

PAMM JUKER, Chief Clerk